

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

MACA.No. 225 of 2006()

AGAINST THE ORDER DATED 16/08/2005 IN IA. 2765 /2004 IN
OPMV.1055/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL,
PATHANAMTHITTA
.....

APPELLANT/THIRD RESPONDENT

THE BRANCH MANAGER,
NATIONAL INSURANCE COMPANY LTD.,
PATHANAMTHITTA.

BY ADV. SRI.RAJAN P.KALIYATH

RESPONDENTS: CLAIMANT & R1 & 2

1. VARGHESE.P.A & BOBY, AGED 29 YEARS,
S/O.P.G.ALEXANDER,
PUTHENPARAMBIL, KANJIRAVELI, ARANMULA.
2. BABU.K.ABRAHAM, S/O.V.K.ABRAHAM,
VELLAPPALLIL VEETTIL, ELANTHOOR
MEKKUM MURI, ELANTHOOR VILLAGE.
3. SIBU ABRAHAM, MOOTHEDATHU HOUSE,
KOZHIMALA POST, ERAVIPEROOR,
PATHANAMTHITTA.

BY ADV. SRI.VARGHESE P.THOMAS

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY
HEARD ON 23/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.B.Koshy & V. Giri, JJ.
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M.A.C.A.No.225 of 2006
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Dated this the 23rd day of August, 2007.

JUDGMENT

Koshy,J.

This appeal is filed against an interim award passed by the Tribunal. In the appeal, coverage of insurance is not disputed. It is submitted that there is no permanent disablement as a result of the alleged accident and the certificate produced is on the date of the accident. It is stated in the interim award that the petition was not opposed by the respondents. If the above statement is not correct, it is for the respondents to file review petition and it is for the claimant to adduce evidence regarding the nature of the injuries caused in the accident . Since the order passed is stated to be passed on consent, the appeal is not maintainable.

Appeal is dismissed.

J.B.Koshy,Judge.

V.Giri, Judge.